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PATENT  
Docket No.: -23US

On December 18, 2003

By: [Signature]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Vivian F. Liu et al.

Application No.: 09/929,513

Filed: August 13, 2001

For: **METHOD FOR ANALYZING  
CELLULAR EVENTS**

Examiner: Scharaseyon, Jegatheesan

Art Unit: 1647

**RESPONSE TO RESTRICTION  
REQUIREMENT**

**RECEIVED**  
DEC 30 2003  
TECH CENTER 1600

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement of September 2, 2003, applicant elects the claims of Group II (claim 11-20) for prosecution at this time. Please cancel the non-elected claims (claims 1-10 of Group I). Please amend the above identified application as shown below.

IN THE CLAIMS:

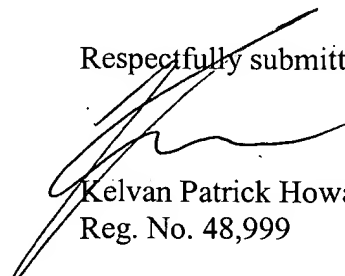
Cancel claims 1-10.

CONCLUSION AND REQUEST FOR TELEPHONIC INTERVIEW

Responsive to the Examiner's Restriction Requirement dated September 2, 2002, the Applicant herewith elects claim group II (claims 11-20) directed to a method for assaying cellular activity. Additionally the applicant cancels claims 1-10. No new matter has been added. Consideration of claims 11-20 is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415.356.3325.

Respectfully submitted,



Kelvan Patrick Howard  
Reg. No. 48,999

MDS Sciex, Inc.  
475 Brannan Street  
San Francisco, California 94107  
Tel: (415) 356.3300

Fax: (415) 356.3339

KPH/kph

## Amendment Transmittal

MDS Sciex, Inc.  
475 Brannan Street  
San Francisco, California 94107  
(415) 356-3325

In re application of: Vivian F. Liu et al.

Application No.: 09/929,513

Filed: August 13, 2001

Group Art Unit: 1647

For: METHOD FOR ANALYZING CELLULAR EVENTS

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231



Docket No. 23US

Date: 12/18/03

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Signed: 

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TECH CENTER 1600/234

Sir:

Transmitted herewith are the following documents in the above-identified application.

- ☒ Response to Restriction Requirement;  
☒ Return Postcard.

If any extension of time is needed, then this response should be considered a petition therefor.  
The filing fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	*10	MINUS	** 20	= 0
INDEP.	* 1	MINUS	*** 2	= 0
[ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE		RATE	ADDIT. FEE
x \$9.00 =			x \$18.00 =	\$0
x \$42.00 =			x \$86.00 =	\$0
+ \$140.00 =			+ \$280.00 =	\$0
TOTAL ADDIT. FEE		OR	TOTAL	\$0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, then write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

[ X ] No fee is due.

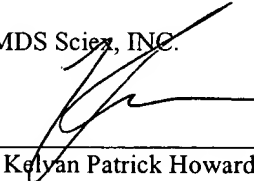
Please charge Deposit Account No. 502822 as follows:

[ ] Claims fee

[ X ] Any additional fees associated with this paper or during the pendency of this application.

NO extra copies of this sheet are enclosed.

MDS Sciex, INC.

  
Kalyan Patrick Howard, PH.D., Reg. No.: 48,999



1647 #

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 420.00

## Complete if Known

Application Number 09/929,513  
Filing Date August 13, 2001  
First Named Inventor Liu  
Examiner Name Seharaseyon, Jegatheesan  
Art Unit 1647  
Attorney Docket No. 23US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 502822

Deposit Account Name MDS Sciex, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	420
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 420.00

## SUBMITTED BY

Name (Print/Type)	Kelvan Patrick Howard	Registration No. (Attorney/Agent)	48,999	Telephone	415-356-3325
Signature		Date	12/18/03		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.